

REMARKS/ARGUMENTS

Favorable reconsideration and allowance of the present application are respectfully requested in view of the following remarks. Claims 1-17 were pending prior to the Office Action.

A. SUMMARY OF THIS AMENDMENT

By the current amendment, Applicants basically:

1. Editorially amend the specification.
2. Cancel claim 12 without prejudice or disclaimer.
3. Amend claims 1-3, 6-11 and 13-17.

B. PATENTABILITY OF THE CLAIMS

In the Office Action, the Examiner makes the following rejections:

- claims 14-17 stand rejected under 35 U.S.C. § 102(b) as being anticipated by Lindell (U.S. Publication No. 2002/0039892 A1);
- claims 1-6, 8, 9, 12 and 13 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Lindell in view of Sumner et al. (U.S. Publication No. 2003/0142641 A1);
- claim 7 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over Lindell in view of Sumner et al. as applied in claim 2 above, and further in view of Sbida (U.S. Publication No. 2004/0264474 A1);

- claim 10 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over Lindell in view of Sumner et al. as applied in claim 9 above, and further in view of Ruutu et al. (U.S. Publication No. 2004/0260750 A1);
- claim 11 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over Lindell in view of Sumner et al. and Ruutu et al. as applied in claim 10 above, and further in view of Verma (U.S. Publication No. 2004/0085957 A1);
- claims 15 and 16 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Lindell in view of Roy (EP 1,091,528 A2).

The rejection with respect to claim 12 is moot. Applicants respectfully traverse all other prior art based rejections.

In the Office Action, the Examiner primarily relies upon Lindell to teach or suggest the claimed features. Lindell relates to a method and system for selecting an access network and a service therein. According to Lindell, in a mobile station capable of accessing multiple access networks, the availability of each of the access networks can be determined based on the requirements of the application requesting service. An access network and service can thereafter be selected from the available access networks based on user preferences.

The mobile station disclosed in Lindell includes a transceiver (202) capable of sending and receiving radio signals to and from multiple access

networks. This is no more than an example of the conventional multi-mode terminal (MMT) illustrated in FIG. 2 of the present disclosure. That is, Lindell's mobile station is technology dependent and suffers from one or more disadvantages as described in the present disclosure.

The mobile station of Lindell further includes a network and service selector (210) that is connected to the transceiver (202), which is configured to receive inputs regarding one or more requirements of an application requesting service. The requirements can thereafter be used to determine the availability of each access network and then an access network and a service are selected from the available access networks based on the user preferences. The network and service selector (210) is provided within the mobile station. According to Lindell, the network and service selector (210) can use radio link conditions of the access networks 1-n. Such link conditions are derived from the signal quality of the broadcast pilot signals of the access networks 1-n (see paragraph [0031]).

The pilot signals are technology dependent. As an example a broadcast pilot signal of a WCDMA network is different from a pilot signal of a GSM network. This makes the network and service selector (210) access technology dependent. Thus if a new network technology is introduced, the network and service selector (210) needs to be adapted to be able to read/derive or evaluate the pilot signals of the new network technology. The transceiver (202) is must also be adapted to be able to receive signals from the newly introduced network

technology, i.e., the transceiver (202) is also access technology dependent. Since both the transceiver (202) and the network and service selector (210), which are provided within the mobile station (100), are access technology dependent, Lindell's mobile station (100) is technology dependent as well, and will require modifications when a new access technology is introduced in the system.

The claimed invention addresses this deficiency of the conventional MMT by providing a system and method for access selection for a moving system that is independent of the access technology used in the access networks. In one aspect, this is achieved by providing access selection adapters (22, 23) and an access technology independent access selector (26). The adapters and the selector are, according to an embodiment of the present invention, network entities provided separate from the user terminal (18). In other words, they are not part of the user terminal (see e.g., Fig. 3, and page 9, lines 6-10). The user terminal communicates with the access selector using an IP address of the access selector (see page 9, line 1-2).

This makes the user terminal independent of the access technologies used in the system (see page 3, lines 8-14) which directly contrasts with the mobile station of Lindell. Thus, unlike Lindell, if a new access technology is introduced in the system, no modifications are needed to the user terminal. The user terminal can make use of several access technologies, such as Ethernet, Bluetooth or WLAN to communicate with the respective adapters.

But the user terminal need not have information about available radio network accesses to which the respective adapters are connected, such as UMTS, GPRS, GSM or any new future radio access technology.

As noted, this is in direct contrast with the teaching of Lindell. This is also in direct contrast to the teachings of other applied references, since, in all applied references, introduction of a new access technology requires modification of the user terminals themselves. Furthermore, none of the applied references describe network entities in the form of adapters and selectors allowing a user terminal of a system (or of a moving vehicle) access to the system independently of the access technology present in the networks.

To emphasize this difference, independent claim 1 is amended to recite “a plurality of access selection adapters, each one being a network entity provided separate from the user terminal” and “an access selector being a network entity provided separate from the user terminal.” Emphasis added. Independent claims 14 and 17 are amended similarly. As amended, it is clear that the adapters and selectors network entities are not parts of the user terminal.

Since none of the applied references teach or suggest the above recited features, independent claims 1, 14 and 17 are distinguishable over all applied references, individually or in any combination. Dependent claims 2-11, 13 and 15-16 are distinguishable over any combination of the same applied references by virtue of their dependencies from independent claims as well as on their

own merit. Applicants respectfully request that the rejections of claims 1-17 be withdrawn.

C. CONCLUSION

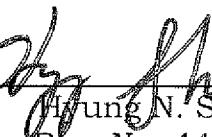
All objections and rejections raised in the Office Action having been addressed, it is respectfully submitted that the present application is in condition for allowance. Should there be any outstanding matters that need to be resolved, the Examiner is respectfully requested to contact Hyung Sohn (Reg. No. 44,346), to conduct an interview in an effort to expedite prosecution in connection with the present application.

The Commissioner is authorized to charge the undersigned's deposit account #14-1140 in whatever amount is necessary for entry of these papers and the continued pendency of the captioned application.

Respectfully submitted,

NIXON & VANDERHYE P.C.

By: _____


Hyung N. Sohn
Reg. No. 44,346

HNS/edg
901 North Glebe Road, 11th Floor
Arlington, VA 22203-1808
Telephone: (703) 816-4000
Facsimile: (703) 816-4100